

REMARKS**Status of the Claims**

Claims 1, 5-8, 12-14, and 18-20 are currently present in the Application, and claims 1, 8, and 14 are independent claims. Claims 1, 8, and 14 have been amended, claims 2-4, 9-11, and 15-17 have been cancelled and no claims have been added in this Amendment. Applicants are not conceding in this Application that those claims are not patentable over the art cited by the Examiner, as the present claim amendments and cancellations are only for facilitating expeditious prosecution of the allowable subject matter noted by the Examiner. Applicants respectfully reserve the right to pursue these and other claims in one or more continuation and/or divisional patent applications.

In particular, Applicants have amended independent claim 1 to include limitations previously found in dependent claims 2-4, have amended independent claim 8 to include limitations previously found in dependent claims 9-11, and have amended independent claim 14 to include limitations previously found in dependent claims 15-17 and have therefore canceled claims 2-4, 9-11, and 15-17.

Examiner Interview

Applicants note with appreciation the Examiner Interview conducted between Examiner Van Doren, Examiner Fleischer, and Applicants' undersigned attorney. During the interview, the parties discussed the limitations found in the original independent claims and Applicants' attorney pointed out shortcomings where the prior art does not teach the limitation and, instead, is teaching something different. The parties discussed some clarifying amendments that may be helpful in directing the Examiner as to the novel aspects of Applicants' claimed invention. Applicants' attorney stated that, despite the shortcomings of the prior art in view of the original independent claims, the Applicants would likely be amending the claims in order to expedite prosecution of the remaining claims.

Drawings

Applicants note with appreciation that the Examiner accepted Applicants formal drawings that were filed on April 8, 2004 along with the original application.

Claim Objections

Claims 2, 9, and 15 were objected to because of the phrasing “in response to the matching.” These claims have been canceled, however, as limitations found in these claims have been incorporated in the respective independent claims, the independent claims have been amended to remove this phrasing. Therefore, Applicants respectfully request that the Examiner withdraw this objection as being moot.

Claim Objections Under 35 U.S.C. § 112

Claims 1, 8, and 14 were objected to as allegedly being indefinite for failing to particularly point out and distinctly claim the subject matter that Applicants regard as their invention. In particular, the Office Action contends that the relationship is between “core skills” and “users” is not clear. Applicants have amended the claims and provided clarifying language so that it is clear that each user can be associated with one or more of the core skills. Consequently, Applicants respectfully request that the Examiner withdraw this rejection in the next Office Communication.

Claim Rejections – Alleged Obviousness Under 35 U.S.C. § 103

Claims 1, 5, 6, 8, 12-14, 18, and 19 were rejected under 35 U.S.C. § 103 as allegedly being obvious, and therefore unpatentable, over U.S. Patent Publ. 2003/0229529 by Mui et al. (hereinafter “Mui”) in view of U.S. Patent Publ. 2003/0110067 by Miller et al. (hereinafter “Miller”). As mentioned above, and as described in detail below, Applicants have amended each of the independent claims to include limitations formerly found in various dependent claims. Specifically, claim 1 has been amended to include limitations previously found in dependent claims 2-4, independent claim 8 has been amended to include limitations previously found in dependent claims 9-11, and independent claim 14 has been amended to include

limitations previously found in dependent claims 15-17. These dependent claims were rejected under § 103 as allegedly being obvious, and therefore unpatentable, over Mui in light of Miller in further view of U.S. Patent Publ. 2002/0198765 by Magrino et al. (hereinafter "Magrino"). Consequently, Applicants respectfully traverse the rejection of the claims as these claims are clearly patentable over Mui in light of Miller in further view of Magrino.

As amended, Applicants independent claims claim a method, an information handling system, and a computer program product that each include common elements of:

- retrieving one or more core skills from a data store, wherein each user is associated with one or more of the core skills, and wherein each of the core skills is a generalized skill useful in supporting an organization's business objectives;
- retrieving, from a data store, a subset of dimension skills from a plurality of dimension skills, wherein the subset of dimension skills correspond to a subset of the plurality of users, and wherein each of the dimension skills is a profession-related skill corresponding to a particular profession found in the organization;
- identifying a progression requirement stored in a memory for each of the core skills and for the subset of dimension skills;
- including the retrieved core skills, the subset of dimension skills, and the identified progression requirements in a framework;
- storing the framework in a data store accessible by an evaluation software routine;

- evaluating one of the plurality of users using the framework and the evaluation software routine, the evaluating resulting in an evaluated user wherein the evaluation software routine performs steps comprising:
 - retrieving a user capability from a capabilities data store, the user capability corresponding to the evaluated user;
 - matching the user capability with one of the progression requirements that are included in the framework;
 - computing a core skill ranking for each of the core skills and computing a dimension skill ranking for each of the subset of dimension skills, wherein the core skill rankings and the dimension skill rankings are stored in a memory;
 - computing an overall ranking based upon the plurality of skill rankings, wherein the overall ranking is stored in the memory; and
 - identifying a plurality of user improvement areas based on the core skill rankings and the dimension skill rankings, wherein at least one of the user improvement areas corresponds to one of the core skills, wherein at least one of the user improvement areas corresponds to one of the dimension skills, and wherein the identified user improvement areas are selected in order to increase the overall ranking of the user.

As discussed with Examiner Van Doren and Examiner Fleischer, neither Mui nor Miller, alone or in combination with one another, teach nor suggest the limitations set forth in Applicants original independent claims. In particular, Applicants claim retrieving and evaluating a user, such as an employee, based upon both "core skills" as well as "dimension skills." Both these types of skills are defined in Applicants' specification and, as suggested by the Examiners for clarification, clarifying language has been added to the independent claim with "core skills" being claimed to be "a generalized skill useful in

supporting an organization's business objectives," while "dimension skills" are claimed to be "a profession-related skill corresponding to a particular profession found in the organization." Examples of "core skills" may include "leadership," "communication," and "teamwork" skills because no matter what an individual's particular profession (e.g., engineer, software developer, marketing, etc.) these skills are each generalized skills helpful in supporting business objectives. In contrast, "dimension skills" pertain to a particular profession. Using the example from above, an engineer's dimension skills may include circuitry design, power design, and the like, while the programmer's dimension skills may include understanding various programming languages and platforms. Likewise, the marketing professional's dimension skills may include knowledge of lease agreements, knowledge of particular contracts, and the like. What has been found is that systems, such as those described by Mui and Miller, are one-dimensional and only account for one type of skill. These systems either have general evaluation criteria where each employee is measured by the same set of skills (e.g., core skills) without regard to their particular profession, or narrow evaluation criteria is used to evaluate an employee's competency in a particular profession. While both types of systems are useful, the systems described by Mui and Miller do not address both types of skills.

The Office Action contends that Mui teaches *"retrieving one or more core skills, wherein each core skill corresponds to each of a plurality of users;"* However, a review of Mui reveals that Mui discusses an Information Distributor that appears directed at web resources and while it simply mentions "skills and competencies." Nowhere does Mui teach or suggest retrieving skills that correspond to a plurality of users as claimed by Applicants.

The Office Action contends that Mui teaches *"retrieving a subset of dimension skills from a plurality of dimension skills, wherein the subset of dimension skills correspond to a subset of the plurality of users."* As described above, Applicants include both "core skills" and "dimension skills" with core skills being defined as "generalized skills that are required from each employee in order to support an

organization's business objectives" and dimension skills being defined as those that "relate to a particular profession" (see p. 4-5 of Applicants' specification for support of the similar claim amendments added to these limitations for clarification purposes). In the first limitation above, Mui does not teach storing or retrieving "core skills" and instead is focused on rather detailed programming skills (e.g., "dimension skills"). The Office Action contends that Miller teaches this limitation but it appears that Miller is analyzing what skills are needed for a project, not in the dimension skills that apply to a particular user. In other words, if a project needs skill "X" Miller is focused on making sure that members of the selected project have this skill. In contrast, Applicants dimension skills apply to a user, so if a user has skills "A, B, and C" then a progression requirement is identified based on the user, not based upon a particular project (see Miller's Fig. 2G and related text in para. [0072] with the first step being to select projects and the remaining steps keyed off of the selected projects).

The Office Action contends that Miller teaches Applicants limitation of *"identifying a progression requirement for each of the core skills and the subset of dimension skills."* Here, Miller does describe a competency model but does not teach or suggest "progression requirements" for any type of job. (design competency model 324 is tied to designing of roles, jobs, etc. block 325 which outlines the competencies needed to support the organizational structure but **does not** teach or suggest any progression requirement. In this limitation, Applicants are claiming a progression requirement for **BOTH** core skills and the subset of dimension skills, which are different types skills as discussed above. Nowhere does Miller (or Mui) teach or suggest any progression requirement for any core skill or dimension skill. Moreover, as discussed above, neither Miller, Mui, nor Magrino differentiate between core skills and dimension. Without such differentiation, as found in Applicants' claims, the combination of Mui, Miller, and Magrino simply cannot teach or suggest the limitations found in Applicants' independent claims.

The Office Action contends that Mui/Miller teach Applicants limitation of *"including the retrieved core skills, the subset of dimension skills, and the identified*

progression requirements in a framework.” As discussed above, neither Miller nor Mui differentiate between core skills and dimension skills nor does either reference teach or suggest “progression requirements” for both types of skills. Miller discloses a “model” but does not disclose a framework encompassing two distinct types of skills (core and dimension) nor does Miller teach or suggest including “progression requirements” in such model/framework.

Finally, the Office Action contends that Mui/Miller teach Applicants limitation of *“evaluating one of the plurality of users using the framework, the evaluating resulting in an evaluated user.”* as discussed above, Mui/Miller do not teach the framework claimed by Applicants, therefore Mui/Miller do not evaluate any user based upon such framework. In addition, also as discussed above, Applicants framework uses two different types of skills (“core skills” and “dimension skills”) in the framework used to evaluate the user (e.g. the employee). Neither Mui, Miller nor Magrino teach or suggest evaluating a person based upon two different types of skills. At most, the cited art suggests using one type of skill (e.g., dimension skills) in order to ensure that the technical skill is present when evaluation a particular *project* (see Miller, Fig. 2G) but does not teach or suggest evaluating a particular user based on the various skills of the individual user.

As mentioned above, despite the fact that the combination of Mui and Miller fail to teach or suggest the limitations found in Applicants’ original independent claims, Applicants have amended the independent claims and incorporated limitations formerly found in various dependent claims that were rejected as allegedly being obvious over Mui in light of Miller in further view of Magrino.

The Office Action contends that Magrino teaches Applicants’ limitation of “matching the user capability with one of the progression requirements that are included in the framework” (citing para. [0082] of Magrino). However, Magrino does not teach or suggest matching “progression requirements” to “user capabilities.” Instead, Magrino simply teaches “weighting and scoring” a candidate’s actual, current, capabilities and does not teach or suggest anything to do with “progression requirements.” Paragraph

[0082] is one of several paragraphs describing the flowchart shown in Fig. 9 and, a review of Magrino's Fig. 9 reveals that Magrino never teaches or suggests any information that would be used to set a path or course of action ("progression") for a particular capability.

The Office Action contends that Mui teaches "computing a core skill ranking" and "computing a dimension skill ranking." However, as previously discussed, Mui only teaches one type of skills and does not differentiate between different types of skills, such as Applicants' "core skills" and "dimension skills." While Mui teaches calculating "an overall rating," this "rating" is not computed based upon two distinct rankings that each relate to a different type of skills (core and dimension), as taught and claimed by Applicants.

Finally, the Office Action contends that Mui teaches "identifying a plurality of user improvement areas based on the core skill rankings and the dimension skill rankings." Mui teaches "competency gap analysis" but does not teach identifying user improvement areas in core skills as well as dimension skills.

As shown above, the combination of Mui and Miller do not teach or suggest all of the limitations found in Applicants' original independent claims. One of the shortcomings of the prior art is that the prior art does not teach or suggest differentiating between "core skills" and "dimension skills" and further does not teach or suggest evaluating a user (e.g., employee) by calculating a rank for both types of skills and then combining the rankings into an overall ranking. As discussed above, Applicants have further amended the claims in order to clarify and further distinguish Applicants' claimed invention and the art of record. Part of the amendments included incorporating limitations formerly found in dependent claims, some of which were rejected as being taught or suggested by Magrino. Applicants have overcome the art of record and respectfully submit that the independent claims are each allowable over the combination of Mui in light of Miller in further view of Magrino.

The remaining claims (claims 5-7, 12-13, and 18-20) are each dependent claims that depend upon one of the independent claims. As such, these claims are each

allowable over the art of record for at least the same reasons that the independent claims area allowable.

Conclusion

As a result of the foregoing, it is asserted by Applicants that the remaining claims in the Application are in condition for allowance, and Applicants respectfully request an early allowance of such claims.

Applicants respectfully request that the Examiner contact the Applicants' attorney listed below if the Examiner believes that such a discussion would be helpful in resolving any remaining questions or issues related to this Application.

Respectfully submitted,

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